



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF STATE COUNSEL
LITIGATION BUREAU

May 24, 2021

Via ECF

Hon. Andrew E. Krause
United States Magistrate Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *Doherty v. Bice, et al.*, 18 Civ. 10898 (NSR)(AEK)

Dear Judge Krause:

This Office represents defendants Patricia Bice, Qui Qui Balascio, and Jared Stammer¹ (collectively, “Defendants”) in the above-captioned action. Pursuant to Rule 2(B) of Your Honor’s Individual Practices, I write with Plaintiff’s consent to respectfully request that the Court so-order the attached Confidentiality Stipulation and Proposed Protective Order.

Pursuant to Your Honor’s Individual Practices, the parties drafted the attached Confidentiality Stipulation and Proposed Protective Order based on Your Honor’s model Confidentiality Stipulation and Proposed Protective Order. The parties have agreed to the modifications identified in the redline attached hereto as Exhibit A, which were added to clarify the protections afforded to the parties pursuant to the Confidentiality Stipulation and Proposed Protective Order. Specifically, the parties have agreed to: (a) specifically identify certain records that may be designated and treated as confidential (Paragraph 1); (b) clarify who is entitled to access confidential information (Paragraph 4); (c) clarify the obligations of the Receiving Party when certain privileged information is disclosed (Paragraph 9); (d) allow for the designation and protection of deposition testimony that discusses information that should be kept confidential (Paragraph 12); (e) provide for a process in the event a party is served with a subpoena or other request for documents (Paragraph 16); and (f) other provisions to clarify the protections afforded

¹ Defendants Stammer and Balascio are no longer employed by SUNY and therefore they are not proper defendants. See Fed. R. Civ. P. 25(d).

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by the Confidentiality Stipulation (Paragraphs 13-14, 17-18).

Thank you for your time and consideration of this matter.

Respectfully submitted,

/s/ Shaina Schwartz

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cc: E. Chris Murray, Esq. (*via* ECF)